

DELEGATED REPORT

Report by Mo Warsame	Date of report: 08/01/2024	Ref: 70282/FUL
Registration: 24/11/2023	LDfC: 21/12/2023	Expiry Date: 19/01/2024
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: HOUS

Proposal: Single storey rear/side extension; Front porch; Detached outbuilding

Location: 226 Market Street, Bury, BL9 9AB

Description

The property is a bay fronted red brick semi-detached house. It has a drive to the front/side that leads to a detached garage which is attached to one that belongs to the adjacent No.228. At the rear the site has a small lean to single storey across part of the elevation. The adjoining semi is No.224 and is extended single storey at the rear. To the opposite side No.228 has its drive alongside that to the site and the detached garage that adjoins the site one. The side elevation is the same as the site with a window to the hall and a kitchen door. To the rear the site garden borders the rear gardens to 7 & 9 Grosvenor Street.

Planning permission is sought for a single storey rear/side extension, a front porch, and a detached outbuilding.

The single storey extension would project 2.6m at the side and set back 4m from the principal front elevation. It would run for 9.4m along of which 6m would project past the rear elevation to wrap round as a single storey across the whole rear. The extension would form an open plan kitchen/dining room along bedroom with ensuite bathroom. The existing garage would be demolished, and a new outbuilding constructed in the rear garden with a footprint of 5m by 7.7m. The proposed side/rear extension would have a flat roof with sunroof, and the proposed outbuilding would have a pitched roof. The proposal would utilise the use of matching materials.

Relevant Planning History

65680 - Prior approval for proposed single storey rear extension - Prior Approval Required & Granted - Ext 12/08/2020

66025 - Single storey extension at side/rear; Detached outbuilding at rear - Approve with Conditions 16/12/2020

Publicity

Neighbour letters sent. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions

N/A

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations, including relevant policies in the emerging Places for Everyone Joint Development Plan.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Visual Amenity

UDP Policy H2/3 and SPD6 seeks to achieve a high standard of design that compliments the original building, does not have a detrimental impact on the character or appearance of neighbouring properties, and protects the general street scene.

The side extension would be set 5m back from the front elevation. It would be flat roofed with a parapet wall with stone coping to the front elevation. The flat roof would extend across the rear extension and have a lantern roof light. Materials for the walls are noted as brick and a standard matching condition is added.

The outbuilding would have a dual pitched roof with eaves at 2.7m a ridge to 3.6m, this with a 5m by 7.7m footprint would see it of a typical size for a domestic outbuilding. Materials would be brick and roof tiles to match the house.

The proposal is considered acceptable and in keeping with the existing property and would not have a detrimental impact on the visual amenity of the area.

Residential Amenity

SPD 6 and H2/3 seek to reduce the impact of proposals on the residential amenity of neighbouring properties.

- The side extension would run along the drive and side elevation to No.228 as blank wall. To the rear this property has a small single storey to the outer side and is also extended with a conservatory.
- There would be no encroachment across a 45-degree line from any principal windows to the rear and the proposal would also be located to the north side.
- The proposed outbuilding would be located along the boundary to this side replacing the garage. With an eaves of 2.7m and ridge to 3.6m it would not be overlarge in terms of a domestic outbuilding. The door and window would be located to the front and would be facing the garden and the main dwelling.
- To the opposite side the adjoining No.224 is extended single storey at the rear and the proposal would come approximately 3m past the rear elevation as blank wall. At 6m in depth the proposal has previously been granted prior approval under the larger homes scheme.

There would then be no serious impact on the amenity of any adjacent neighbouring properties. The proposal complies with UDP Policy H2/3 and SPD6 - Alterations and Extensions to Residential Properties.

Parking

The proposal will result in one additional bedroom, however there will be no changes to site access, or parking. The driveway at its current condition meets the maximum parking requirements.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered Dwg No. 01, Dwg No. 02, Dwg No. 03, Dwg No. 04, Dwg No. 05, Dwg No. 06, Dwg No. 08 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy H2/3 - Extensions and Alterations of the Bury Unitary Development Plan and Supplementary Planning Document 6 - Alterations and Extensions to Residential Properties.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
MW	08/01/2024		